



13281 U.S. PTO

REQUEST FORM FOR APPLICATION UNDER 37 CFR 1.53(b)

U.S. PTO
10/759067



01/20/2004

DOCKET NUMBER: 50353-626

Prior Application:

Art Unit: 3661

Examiner: Michael J. Zanelli

NEW APPLICATIONS

FEE

Mail Stop NEW APPLICATIONS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This is a Request for filing a Divisional application under 37 CFR 1.53(b) of pending prior application

Serial No. 10/226,232, filed on August 23, 2002, entitled DRIVING-ASSIST SYSTEM, by the following named

inventor(s): Tomohiro YAMAMURA, Satoshi KITAZAKI and Shunsuke HIJIKATA.

1. ☒ I hereby state that the enclosed application contains no new matter.
2. Oath or Declaration
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63(d))
 - i. ☐ Deletion of inventor(s)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
3. ☒ Incorporation By Reference (useable if Box 2b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 2b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
4. ☒ Preliminary Amendment is enclosed.
5. ☒ An Information Disclosure Statement and PTO1449 Form are submitted herewith.
6. ☒ Cancel claims 1, 2, 4-9, 61, 67, 75 and 76.



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7. The filing fee is calculated on the basis of the claims existing in the prior application as amended at 4 and 6 above:

	NO. OF CLAIMS		EXTRA CLAIMS	RATE	AMOUNT
Total Claims	64	-20	44	\$18.00 =	\$792.00
Independent Claims	22	-3	19	\$86.00 =	\$1634.00
Basic Application Fee					\$770.00
If multiple dependent claims are presented, add \$0.00					\$0.00
Total Application Fee					\$3196.00
Subtract ½ if small entity					\$0.00
TOTAL APPLICATION FEE DUE					\$3196.00
AMOUNT TO BE CHARGED TO DEPOSIT ACCOUNT NO. 500417					\$3196.00

- 7a. ☐ Enclosed is a Verified Statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27.
- 7b. ☐ A verified Statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27 was filed in prior application and such status is still proper and desired.
- 8a. ☒ **PLEASE CHARGE DEPOSIT ACCOUNT 500417 in the amount of \$3196.00**
- 8b. ☒ The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 which may be required, including any extension of time fees to maintain the pendency of the parent application Serial No. 10/226,232 or credit any overpayment to Deposit Account No. 500417.
9. ☒ Amend the specification by inserting before the first line the sentence:
--This application is a divisional of Application Serial No. 10/226,232, filed August 23, 2002--.
10. ☒ Priority of Application Serial No. 2001-252422, filed on August 23, 2001; 2001-389314, filed December 21, 2001; 2002-138266, filed May 14, 2002; and 2002-177029, filed June 18, 2002, all filed in JAPAN is claimed under 35 USC 119. The certified priority documents were filed in Serial No. 10/226,232 on November 26, 2002.
11. ☒ The prior application is assigned of record to

NISSAN MOTOR CO., LTD.
Kanagawa, Japan
12. ☒ The power of attorney in the prior application is to:

McDermott, Will & Emery
13. ☒ Also enclosed:
- Preliminary Amendment
- Substitute Specification Transmittal letter with copy of patent application showing all amendments and a clean version entitled "Substitute Specification".

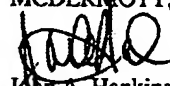
14. ☐ A petition, fee and response has been filed to extend the term in the pending prior application until .

Address all future communications to: (May only be completed by applicant, or attorney or agent of record)

McDermott, Will & Emery
600 13th Street, N.W.
Washington, DC 20005-3096

Respectfully submitted,

MCDERMOTT, WILL & EMERY


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Date: January 20, 2004

Customer No.: 20277

Docket No.: 50353-626

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
YAMAMURA, TOMOHIRO, et al.	:	Confirmation Number: 4035
Serial No.: Div. of U.S.S.N. 10/226,232	:	Group Art Unit: 3661
Filed:	:	Examiner: Michael J. Zanelli
For: DRIVING-ASSIST SYSTEM	:	

SUBSTITUTE SPECIFICATION TRANSMITTAL

Mail Stop Substitute Specification Transmittal
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached and submitted herewith is a copy of the above-identified U.S. patent application showing all amendments and a clean version entitled "substitute Specification" which incorporates all changes from the marked up version. The substitute specification does not introduce any new matter and simply corrects typographical and grammatical errors.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper,

Serial No.: Div. of U.S.S.N. 10/226,232

including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY



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